

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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HOWARD HESS DENTAL LABORATORIES	:
INCORPORATED and PHILIP GUTTIEREZ d/b/a	:
DENTURES PLUS, on behalf of themselves and all others	:
similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
DENTSPLY INTERNATIONAL, INC.,	:
	:
Defendant.	:
----- x	
JERSEY DENTAL LABORATORIES, f/k/a	:
Howard Hess Dental Laboratories Inc., and PHILIP	:
GUTTIEREZ, d/b/a Dentures Plus, on Behalf of	:
Themselves and All Others Similarly Situated,	:
	:
Plaintiffs,	:
	:
v.	:
	:
DENTSPLY INTERNATIONAL, INC., et al.,	:
	:
Defendants.	:
----- x	

**JOINT STIPULATION AND PROPOSED ORDER (1) EXTENDING BRIEFING  
DEADLINES REGARDING (a) DEFENDANTS' MOTIONS TO DISMISS THE  
AMENDED COMPLAINT IN *JERSEY DENTAL*, AND (b) PLAINTIFFS'  
MOTION FOR SUMMARY JUDGMENT AND INJUNCTIVE RELIEF IN *HESS* , AND  
(2) SCHEDULING A HEARING REGARDING BOTH CASES**

1. WHEREAS, on November 14, 2006, the Parties in *Jersey Dental* filed a joint stipulation (document # 262) that, among other things, set new deadlines for the briefing of any

motions to dismiss the Amended Complaint, including a deadline of December 1, 2006, “for any motion to dismiss and opening brief in support thereof”;

2. WHEREAS, on November 15, 2006, the Parties in *Hess* filed a joint stipulation (document # 259) that set new deadlines for the briefing of Plaintiffs’ motion for summary judgment and injunctive relief;

3. WHEREAS, on December 1, 2006, a larger number of motions to dismiss the Amended Complaint in *Jersey Dental* were filed than had been anticipated when the Parties had agreed to the stipulation filed on November 14, 2006;

4. WHEREAS, the undersigned Parties to both *Jersey Dental* and *Hess* have agreed that the pending briefing deadlines should be extended again, in both cases, with each such deadline extended by an additional four weeks; and

5. WHEREAS, the Court has informed the undersigned Parties that the hearing regarding *Jersey Dental* will be rescheduled so that such hearing, along with a hearing regarding Plaintiffs’ motion in *Hess* for summary judgment and an injunction, will take place on March 14, 2007, at 3 p.m.;

THEREFORE, subject to the approval of the Court, it is stipulated and agreed that:

- a. The deadline for answering briefs in *Jersey Dental* is extended to February 6, 2007;
- b. The deadline for reply briefs in *Jersey Dental* is extended to February 27, 2007;
- c. The deadline for Dentsply's Opposition Brief in *Hess* is extended to January 18, 2007;
- d. The deadline for Plaintiffs' Reply Brief in *Hess* is extended to February 27, 2007;  
and
- e. The hearing in *Jersey Dental* previously scheduled to take place on February 9, 2007, is rescheduled to take place, along with a hearing on Plaintiffs' motion in *Hess* for summary judgment and an injunction, on March 14, at 3 p.m.

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SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006

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United States District Judge